

EXECUTIVE ORDER 11990
WETLANDS
STATEMENT OF FINDINGS

PIN 8006.72
NYS ROUTE 17 AT EXIT 122
ORANGE COUNTY, NY

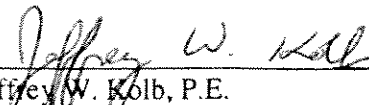
The project was reviewed for compliance with Executive Order 11990, Protection of Wetlands and the U.S. DOT Order 5660.1A.

The project involves unavoidable direct impacts to 7751 m² (1.92 acres) of Federal jurisdictional wetlands, 3036 m² (0.76 acres) of non-jurisdictional wetlands, and indirect impacts to 619 m² (0.15 acres) of Federal jurisdictional wetlands. The primary type of wetlands on the project is emergent marsh wetlands primarily associated with the flood plain of the Wallkill River. This work is necessary to fulfill the purpose and need of the proposed project, to improve the interchange to meet interstate standards and to address operational and safety deficiencies.

The project was designed to minimize impacts to wetlands primarily through steeper fill slopes and by making adjustments to proposed alignments and curve radii. Based upon these considerations, it is determined that there is no practicable alternative to the proposed construction in wetlands that would avoid all wetland areas and that would meet the stated objectives of the proposed project and that the proposed action includes all practicable measures to minimize harm to wetlands which may result from such use. In conjunction with discussions with regulatory agencies, a wetland mitigation plan is being prepared to develop an approximately 22,812 m² (5.66 acres) of area as wetland, for a wetland mitigation ratio of 2 to 1.

Erosion and sediment control will be designed to protect wetland areas during construction using Stormwater Management Practices as part of a Stormwater Pollution Prevention Plan. All design and mitigation measures will incorporate the requirements of the NYSDOT Standard Specification for Temporary Soil Erosion and Water Pollution Control and the New York State Standards and Specifications for Erosion and Sediment Control.

Based upon this information, I find that (1) there is no practicable alternative to such construction and (2) that this construction of the proposed alternative contains all practicable measures to minimize harm to wetlands which may result from such use.

 7/21/08
Jeffrey W. Kolb, P.E. (DATE)
Division Administrator
Federal Highway Administration